



glasgow bar association
established 1959

Room 1.29
Glasgow Sheriff Court
1 Carlton Place,
Glasgow
G5 9DA

25th June 2020

Dear Member,

Update on Family Proofs at Glasgow Sheriff Court

We have now received the following update from Sheriff Mackie:-

The issues surrounding proofs have been dealt with in the case management hearings which have taken place this week and the Court has assigned the first family proofs for weeks commencing 24 and 31 August. There will be a greater reliance on affidavits – including affidavits by the parties – but we are presently envisaging proofs being conducted in the same way as before unless parties/their witnesses require to give evidence remotely for reasons connected to, say, the shielding provisions. Thus far no cases have fallen into that category. Agents will need to make investigations of parties and their witnesses ahead of case management and proof management hearings so that the court can be addressed on such issues. The intention, at present, is to use one of our larger courtrooms for family proofs to allow social distancing to take place.

The following will appear in interlocutors assigning proof management hearings:-

At the hearing, parties must be in a position to address the sheriff on the following matters:

- when the parties expect to be able to proceed to proof or to continued proof and the likely availability of witnesses;
- the extent (if any) to which the proof may be conducted remotely and, if so, how that might be achieved;
- the extent to which affidavit evidence may be used;
- whether any special measures are necessary in respect of any witness or party; and

- whether an interpreter is required for any witness or party.

This will of course be dependent on any review of the public health situation moving forward and will be subject to change in the event of regulations and guidance from the Scottish Government being updated.

Lastly, in relation to the assignation of family proof diets, there will be a restriction on the number of proofs assigned to promote social distancing and limit the number of attendees accessing the building on any one day. At this time, this is being restricted to 3 family proofs only per proof slot.

We trust this update is of assistance to you.

Kind regards,

The Office Bearers of the Executive Committee of the Glasgow Bar Association